

REMARKS

In response to the above-identified Office Action, Applicant traverses the Examiner's rejection to the claims and seeks reconsideration thereof. Claims 1-5 are now pending in the present application. In this response, Claims 1 and 4 have been amended, no claims have been added and no claims have been cancelled.

Amendments to the Claims

Applicant respectfully submits the attached Amendments to the Claims in which Claims 1 and 4 have been amended. Claim 1 has been amended to clarify that the reflection plane placed under the microstrip feedline has "an open part with predetermined length and depth." Support for the amendment to Claim 1 is found, for example, in Figures 2A, 2B, 3A, 3B and page 5, lines 2-6 of the Application. Claims 1 and 4 have been amended to replace the recitation of "the microstrip antenna" with "the microstrip feedline" as suggested by the Examiner. Applicant respectfully submits the attached Amendments to the Claims are supported by the specification and do not add new matter and therefore entry is respectfully requested.

Declaration Objection

In the outstanding Office Action, the Examiner objects to the declaration the Foreign Priority Document in the Declaration does not match the application no. listed on the priority document. Applicant submits herewith a newly executed Declaration with the Foreign Priority Document matching the application no. listed on the priority document.

Drawing Objections

In the outstanding Office Action, the Examiner objects to the drawings under 37 CFR 1.84(p)(5) because they include the reference characters “figure 1B, element 14; and figure 2B, element 26” not mentioned in the description. Applicant respectfully submits the attached Amendments to the Specification in which the above-referenced characters have been added to the specification. Applicant respectfully submits the amendments comply with 37 CFR §1.121(b) and requests withdrawal of the objection to the drawings.

Claim Rejections – 35 U.S.C. §112, second paragraph

In the outstanding Office Action, the Examiner rejects Claims 1-5 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Specifically, the Examiner objects to the recitation of “the microstrip antenna” in line 5 of Claim 1 and line 7 of Claim 4 for lack of antecedent basis and requests Applicant amend the recitation to read “the microstrip feedline” as used in line 2. Applicant respectfully submits the attached Amendments to the Claims in which the recitation of “the microstrip antenna” has been amended to recite “the microstrip feedline” pursuant to the Examiner’s suggestion. For the foregoing reasons, Applicant respectfully requests withdrawal of the rejection of Claims 1-5 under 35 U.S.C. §112, second paragraph.

Claim Rejections – 35 U.S.C. §102(b)

In the outstanding Office Action, Claims 1-3 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,507,321 issued to Oberschmidt et. al. (“Oberschmidt”).

It is axiomatic that to anticipate a claim, every element of the claim must be disclosed within a single reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Furthermore, the reference must disclose the identical invention in as complete detail as is found in the claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The present invention claims a broadband slot antenna, comprising, a dielectric layer under which a microstrip feedline is formed, a ground formed on the dielectric layer and electromagnetically coupled with the microstrip feedline through a slot; and a reflection plane placed under the microstrip feedline and having an open part with predetermined length and depth in order to prevent board surface waves from being radiated and enhance antenna gain.

In regard to independent Claim 1, Applicant respectfully submits Oberschmidt fails to teach or suggest a broad band slot antennae comprising at least the element of a reflection plane placed under the microstrip feedline and having an open part with predetermined length and depth as recited in amended Claim 1. The claimed characteristics of Applicant's recited reflection plane are more clearly shown in Figures 2A, 2B, 3A and 3B, wherein it is apparent that the reflection plane is the metal resonant having an opening part with predetermined length and depth. See Application, page 5, lines 2-6. Instead, it is apparent from Oberschmidt that element 14, as referenced by the Examiner, is a uniform thin metallic layer. See for example Oberschmidt, Figure 3. Applicant is unable to discern, and the Examiner has not set forth, any portion of Oberschmidt where it is taught that element 14 has an open part with predetermined length and depth. Accordingly, since Oberschmidt does not teach all the elements of Claim 1, anticipation may not be found. For the foregoing reasons, Applicant

respectfully traverses the Examiner's rejection of Claim 1 and requests withdrawal of the rejection of Claim 1 under 35 U.S.C. §102(b).

In regard to dependent Claims 2 and 3, Applicant respectfully submits these claims depend from Claim 1 and incorporate the limitations thereof. For the reasons discussed above with respect to Claim 1, Oberschmidt does not teach or suggest a broad band slot antennae comprising at least the element of a reflection plane placed under the microstrip feedline and having an open part with predetermined length and depth. Accordingly, since Oberschmidt does not teach or suggest all the elements of Claims 2 and 3, anticipation may not be found. For the foregoing reasons, Applicant respectfully requests withdrawal of the rejection of Claims 2 and 3 under 35 U.S.C. §102(b).

Allowable Subject Matter

Applicant respectfully acknowledges the Examiner's recognition that Claims 4-5 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. §112, second paragraph. As previously discussed, amended Claims 1 and 4 have been corrected to recite "the microstrip feedline" instead of "the microstrip antenna" and have thus been amended to overcome the rejection(s) under 35 U.S.C. §112, second paragraph, set forth in the Action. For the foregoing reasons, Applicant respectfully requests allowance of Claims 4 and 5.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely Claims 1-5, are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: _____

2/28/05

By: _____

[Signature]

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on

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Kumiko Alexander